

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOHN H. WHITE

Plaintiff,

-v.-

Civil Action No.
9:14-cv-2 (GLS/RFT)

JOEY DISHAW, C.O. Upstate Correctional Facility;
R. LORDI, R.N., Upstate Correctional Facility

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

JOHN H. WHITE
Pro Se
08-A-3366
Upstate Correctional Facility
P.O. Box 2001
Malone, New York 12953

FOR THE DEFENDANT:

HON. ERIC T. SCHNEIDERMAN
New York State Attorney General
Litigation Bureau
The Capitol
Albany, New York 12224

RYAN E. MANLEY, ESQ.
Assistant Attorney General

GARY L. SHARPE,
DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Randolph F. Treece, duly filed June 15, 2015. Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed¹, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED that the Report-Recommendation of Magistrate Judge Randolph F. Treece filed June 15, 2015 (Dkt. No. 83) is ACCEPTED in its entirety for the reasons stated therein; and it is further

ORDERED that Defendants' Motion to Dismiss (Dkt. No. 41) is GRANTED in its entirety and that Defendant Lordi is terminated from this action; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance to the local rules.

¹ On August 4, 2015, the court granted plaintiff's request for an extension of time to file objections to the Report-Recommendation on or before August 31, 2015. Dkt. No. 96. On September 2, 2015, plaintiff filed a letter with the court stating his objections to the report-recommendation will be submitted on or before September 8, 2015. Dkt. No. 101. Despite the passage of the self-imposed deadline, the plaintiff has failed to file any objections to the pending report-recommendation.

IT IS SO ORDERED.

September 15, 2015
Albany, New York

Gary L. Sharpe
Gary L. Sharpe
U.S. District Judge